

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JILL K. BENSON,

PLAINTIFF,

v.

NORTHAMPTON COUNTY,

DEFENDANT.

Civil Action No.: 5:22-cv-05139-JMG

**REQUEST FOR ENTRY OF DEFAULT
PURSUANT TO RULE 55(a) AGAINST DEFENDANT**

Plaintiff Jill K. Benson, by and through her attorneys, Bell & Bell, LLP, hereby files the following Request for Entry of Default Against Defendant Northampton County. Plaintiff hereby requests that the Clerk of Court make an entry of default as against Defendant Northampton County based upon the facts set forth below.

SUPPORTING FACTS & DECLARATION

I, Christopher A. Macey, Jr., have personal knowledge of the facts stated herein and hereby declare as follows:

1. This is an action for an award of damages, attorneys' fees and other relief on behalf of Plaintiff Jill K. Benson, a former employee of Northampton County ("Northampton" or "Defendant"), who worked for Defendant at its Gracedale Nursing Home location.
2. Ms. Benson was subjected to discrimination and harassment on the basis of her age and disability and/or perceived disability, was denied accommodation for her disability, and was retaliated against for requesting an accommodation for her disability and for complaining about discrimination and harassment, culminating in her wrongful termination on October 31, 2021.

3. This action is filed pursuant to the Age Discrimination in Employment Act, 29 U.S.C. § 621, et seq. (“ADEA”) and the Americans with Disabilities Act, 42 U.S.C. § 12101, et seq. (“ADA”) and the Rehabilitation Act.
4. Plaintiff filed the Complaint in this action on December 23, 2022. *See* D.E. #1.
5. Plaintiff served the Summons and Complaint on Defendant on February 23, 2023. *See* D.E. #3 (Affidavit of Service), a true and correct copy of which is attached hereto as Exhibit A.
6. Defendant’s Answer or responsive pleading was due within twenty-one days of service of the Summons and Complaint. *See* Fed. R. Civ. P. 12 (a)(1)(A)(i).
7. Defendant’s Answer or responsive pleading was therefore due on or before March 16, 2023. *See* Fed. R. Civ. P. 12 (a)(1)(A)(i).
8. As of today, March 22, 2023, Defendant has not indicated an intent to plead or otherwise defend, nor filed an Answer or other responsive pleading.
9. The facts as contained in Paragraphs 1 through 8 above satisfy the requirements for entry of default by the Clerk of Court as set forth in Rule 55(a) of the Federal Rules of Civil Procedure.

10. I declare under penalty of perjury that the foregoing facts are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties relating to unsworn falsification to authorities.

Respectfully submitted,

/s/ Christopher A. Macey, Jr.

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Attorneys for Plaintiff

Dated: March 22, 2023